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HASTINGS LAW NEWS

Volume 20, Number 5

Hastings College of the Law

San Francisco, California

February 10, 1987

West Block Expansion Plans Include Highrise

By MCGREGOR SCOTT
Staff Reporter

As part of its master plan for the development of the Hastings campus and surrounding facilities, the Hastings administration is advancing on two fronts in improving the West Block facility. The first is through improved services to the tenants of apartment buildings owned by the school. The second is through construction of an office building on a large part of the block.

The West Block is the term given to the area immediately west of the 200 McAllister Building, bounded by McAllister, Larkin, and Golden Gate streets. The block is currently composed of a parking lot, apartment buildings, commercial businesses, UC office space, and the 200 McAllister building.

Hastings currently owns and operates five apartment buildings in the West Block area. The maintenance and operation of these buildings has generated much publicity recently through the accusations of Assemblyman Art Agnos. As part of an effort to improve its operation of the building, last fall management of the facilities was turned over Milton Meyer, Inc., the same professional

management firm that operates McAllister Tower.

In an interview with the Law News, Dean Bert Prunty gave three reasons for this transfer: (1) to reduce the number of school employees involved in the management of the apartments, so as to reduce liability; (2) to improve the level of service available to the tenants; and (3) to bring all school facilities into conformance with the San Francisco housing code.

Milton Meyer is managing the apartment buildings on a month-to-month basis pending the hiring of a full-time firm. Competitive bidding is going on now, and the administration anticipates finishing bidding by the end of February, and that the Board of Directors will take action at its March meeting. Dean Prunty indicated his satisfaction with the job that Milton Meyer has done, noting that relinquishing management control saved Hastings \$10,000 last semester.

The Law News spoke to a Hastings student (who asked to remain anonymous) currently living in the 260 McAllister apartment building. He expressed general satisfaction with the facilities and with his studio apartment. The apartment and the

building are clean and have no serious deficiencies except for a lack of wall outlets.

The student noted that a marked improvement had occurred in the management of the facilities since Milton Meyer took over in September. Among these improvements are the hiring of a full-time maintenance man for the apartment buildings. In addition, a thorough spraying of the building eliminated problems with parasites.

The second part of the development of the West Block is the construction of a six-story office building, to be called the Golden Gate Building. The final Environmental Impact Report (EIR) is currently being studied by experts for presentation to the Board of Directors this spring. When the EIR is presented, a public hearing will be held to allow input from all those affected by the project. At this meeting, the Board will decide first if the EIR is sufficient, and if it is, whether to proceed with the project.

As designed by the architectural firm of Skidmore, Owens, & Merrill, the building would be a six-story facility architecturally harmonious with the 200 McAllister building. It would have a total of 160,000 square

feet of space. In addition, a 2-level parking garage would be constructed beneath the building.

A bookstore, auditorium, and restaurant are planned for the first

floor. Floors 2 through 6 would be public office space, partly to be used by Hastings and UC, with the remainder being leased to the State of

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Low Pay, Heavy Workload

LWR Instructors Hard to Hire, Keep

By LISA FELDMAN
Staff Reporter

If you ask its directors and instructors, Hastings' Legal Writing and Research (LWR) Program has generally drawn praise. But if you ask the students, the overwhelming response is "it depends on which instructor you get."

The 24 current LWR instructors are indeed varied. Virtually all are practicing attorneys. Some are partners in law firms, while others run their own solo practices; some work in the Attorney General's or Public Defender's Offices, and a few are general counsel in corporations. But they all seem to have one thing in common: hard work, low pay, and a lack of uniformity that has disturbed both students and faculty.

Instructors are hired by the Director of LWR, Sandra Verhoogen, and the Faculty Director of Legal Writing Programs, Irene Cohn.

Each year, Hastings loses about half its instructors, leaving about 12 openings. The burnout rate is high, according to Verhoogen, due to hard work for very little pay. The salary for first year instructors is a meager \$1,750 per year, while second and third year instructors earn only \$2,000 and \$2,250, respectively.

The hiring process is three-tiered. First, advertisements are posted in various places, including City Hall and *The Recorder*. Hastings requires a cover letter, a resume and a legal writing sample. Approximately 100 resumes are usually received.

According to Verhoogen, she and Cohn first look at two things: who the person is, and their writing skills. Teaching experience is not required,

but is considered. They eliminate about one-half the applicants based solely on their resume and writing sample. The other half are sent an actual student paper to correct.

Of the applicants who send back the student paper, Verhoogen and Cohn look for whether the applicant picked up on all of the problems in the paper, as well as made constructive comments that would be helpful to the student. After eliminating some of this group, about three times the number of instructors needed remain. These people are interviewed for about 45 minutes each.

Once the instructors are chosen, they attend summer workshops, where they prepare their program. Although certain letters and memoranda must be completed by each student, such as a points and authorities, a client letter, an oral argument and a demand letter, the instructors have much latitude in formulating the class.

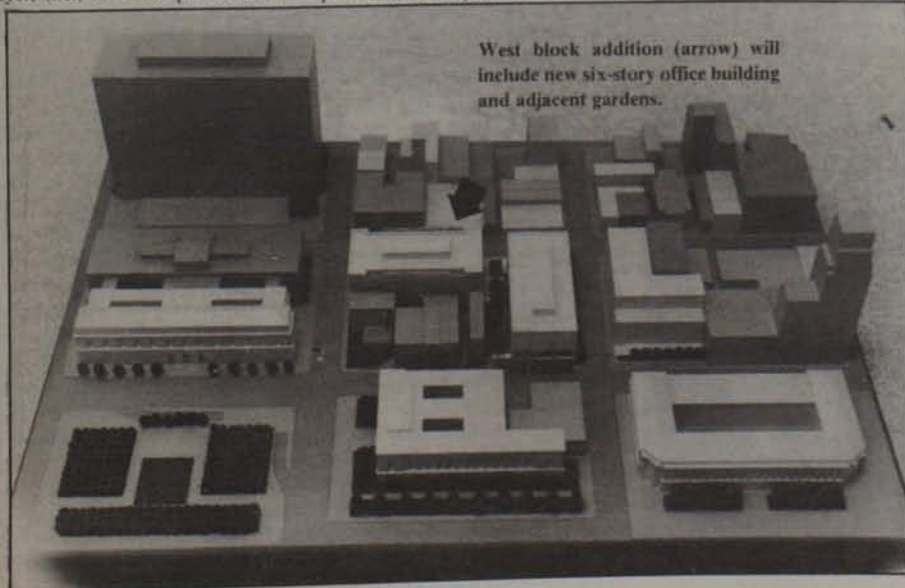
There are advantages and disadvantages to hiring practicing attorneys. On the one hand, notes an LWR instructor, instructors are immersed in the practice of law, so they can give students a real world perspective. On the other hand, full-time attorneys have other obligations which limit their availability to students.

"For the compensation involved, it's difficult to expect full-time attorneys to devote as much time as one would like to see," says one former LWR instructor.

Over the years, students have complained of a lack of uniformity in

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West block addition (arrow) will include new six-story office building and adjacent gardens.



High Court Hears Arguments from Hastings Professors

BY SHARON MIERAN
Staff Reporter

Within the past several months two professors from Hastings have argued cases before the U.S. Supreme Court.

Marian Johnston, a Deputy Attorney General with the State Attorney General's office in Sacramento, served as an adjunct professor at Hastings from 1982-1985, and taught a seminar on civil rights. Appropriately, in her appearance before the Court she argued for the civil rights of women who desired to return to their jobs after having taken pregnancy leave.

In *California Federal Savings and Loan Association v. Guerra*, 55 U.S. Law Week 4077 (1987), Johnston

represented a female employee of California Federal Savings and Loan, who filed a complaint against her employer in 1982 when she was not given her job back after having taken pregnancy leave.

The statute which Johnston defended (California Government Code § 12945) was enacted in 1978 and provides in pertinent part that women would be allowed to take up to four months of pregnancy leave from their jobs, and still have the job when they returned. Johnston received opposition to her defense of this statute not only from employers organizations, but also from the U.S. Justice Department and, surprisingly, from various women's organizations.

Johnston lost in district court, but the decision was reversed by the

Ninth Circuit. She concedes that she was concerned when the U.S. Supreme Court took the case, because that Court has a tendency to reverse Ninth Circuit decisions.

The U.S. Supreme Court ruled in her favor on January 13, 1987, and upheld the statute providing for up to four months of pregnancy leave for female employees.

Johnston will soon be arguing another case before the U.S. Supreme Court. That case concerns whether or not California can enforce Civil Rights statutes against Rotary Clubs for their exclusion of women.

Professor McCall teaches Professional Responsibility, Antitrust and Consumer Protection law, and has taught at Hastings since 1971. McCall argued *The Atchison, Top-*

eka, and Santa Fe Railway Company v. Jim Buell before the Supreme Court on December 1, 1986. This was McCall's second time arguing a case before the Supreme Court.

The case involved an action brought under the Federal Employer's Liability Act ("FELA"). The statute provides a cause of action for a worker injured as a result of the negligence of his or her employer, if that employer is a common carrier.

In the case Buell, an employee of the Santa Fe Railroad, alleged that he was injured as a result of harassment and threats directed at him by his supervisor, while he was performing his job as a carman. A group of carmen and the carmen's union complained to the Railroad about the supervisor's conduct, however Santa Fe took no action to remedy the situation. Buell suffered a nervous breakdown, allegedly as a result of his supervisor's conduct.

The case was dismissed in Federal District Court for technical reasons (the court held that the complaint did not state a cause of action). McCall was asked to take the appeal

to the Ninth Circuit, which he did in the spring of 1985. That court ruled in his favor, 3 - 0 that the statute involved did indeed create a cause of action.

When he discovered that the petition for certiorari had been granted, McCall admits that he was surprised. He shared Johnston's concern over the tendency of the Court to reverse Ninth Circuit decisions. A decision in this case has not yet been handed down by the Court, but McCall anticipates receiving a decision in the very near future.

When asked their impressions of arguing a case in the Supreme Court, both professors noted that the Justices took an extremely active role in the proceedings. They constantly interrupted with questions and comments, much more than in any of the other courts in which the two professors had previously argued cases.

Johnston commented that the attorneys were positioned very near to the justices, and that the argument was very "conversational."

McCall said that the majority of

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Shcharansky Says ABA Should Renounce Soviets

By CHRIS PALERMO
Managing Editor

The American Bar Association should refute its agreements with Soviet lawyers and hold no further meetings with the Soviet bar, recently released Soviet dissident Anatoly Shcharansky said at a press conference on Jan. 30.

"Such meetings merely give legitimacy to Soviet lawyers," which they do not deserve said Shcharansky, speaking to reporters after a breakfast hosted by the Commonwealth Club at the Fairmont Hotel.

A diminutive, almost meek man, Shcharansky appeared tired from the effects of a multi-city tour of the United States that brought him to San Francisco for the first time.

Shcharansky also blasted the American press and political commentators, calling them victims of Mikhail Gorbachev's efforts to improve the global reputation of the Soviet Union.

"However noble their views, they help the Soviet Union's PR campaign," Shcharansky said, although he stopped short of categorically repudiating all meetings between Soviets and Americans.

Shcharansky, 39, was released last February in an exchange of prisoners. The Jewish physicist, who founded the Moscow Helsinki Monitoring Group to verify Soviet compliance with the Helsinki Accords, maintains that he was never a spy.

On Feb. 1, Shcharansky led about 1,500 people in a protest rally at the Soviet Consulate on Green Street in San Francisco.

"This is a struggle, not of just Jews, but all people who want real freedom," he said at the rally. At the press conference, Shcharansky praised the efforts of common people, "students and housewives," whom he believes contributed to his release.

Although officials at the Soviet Consulate indicated Jan. 30 that they would meet with Shcharansky if he agreed, he dismissed their offer as insignificant.

"A visit would be useless," Shcharansky said. "Consular officials are minor bureaucrats who do not make policy decisions."

Shcharansky warned journalists not to be fooled by Soviet peace overtures, artistic exchanges, and other "cosmetic" efforts by Gorbachev to promote *glasnost*, or "openness." Despite this professed policy, Shcharansky noted, the Soviet Union recently passed tough new emigration legislation that disqualifies 90% of Soviet Jews from even applying for exit visas.

"If they want to change, they don't need a PR campaign," Shcharansky said. "They just need to let people go."

"It is actually a new restriction, not a reform at all," Shcharansky said of the law, noting that it is probably designed to induce Congress to repeal the Jackson-Vanik Amendment. That law was enacted in 1974 and provides that countries with nonmarket economies cannot receive most-favored-nation status, nor government-backed credits, unless they allow free emigration.

However, emigration rates today are far lower than they were before the amendment was passed. In 1973, 34,733 Soviet Jews left the USSR; after America and the USSR agreed in principle to the SALT II treaty, emigration of Jews reached an all-time high when 51,320 left.

But that total has dwindled in recent years; only 1,140 Jews left the Soviet Union in 1985, fewer than 1,000 in 1986. Experts have blamed hard-line Reagan Administration policies, which have prevented the Soviet Union from negotiating favorable trade and arms control agreements, for the drop in emigration.

Some American journalists have called for the repeal of Jackson-Vanik, to induce an increase in emigration, and the phased introduction of new trade sanctions if the USSR insists on preventing dissidents from leaving.

But Shcharansky urged Congress not to scrap the legislation. "Jackson-Vanik remains an important weapon

in the struggle," he said, "but opening the gates will require a bigger decision in the Soviet Union than any induced by trade sanctions." ■

From The Dean

... Dean Bert Prunty

When Justice A. Frank Bray died on January 1st of this year, the College lost one of its last links with the first generation of Hastings students.

Justice Bray, a native of Butte, Montana, graduated from Hastings in 1910, and served as a dedicated public servant with the State of California for nearly six decades, first as Assistant District Attorney, then as City Attorney then as Judge of the Superior Court of Contra Costa County for 12 years, and as Justice on the District Court of Appeals, First District, Division one for 14 years, the last five of which were served in the capacity of Presiding Justice.

Justice Bray came to the Bay Area in 1904 not to study law but to attend the Mt. Tamalpais Military Academy in San Rafael. He was fond of telling the story of when the great earthquake hit in April of 1906, he and his fellow cadets were taken into San Francisco and drafted

to guard property against looters not because of their excellent military training but because their uniforms were similar to those of the Army.

After completing the Academy, he went on to Berkeley and finally came to Hastings in 1907. He attended Hastings during the time when the College had a number of different homes. His first class was held at Cooper Medical School on the corner of Webster and Sacramento. On the first day of school he is said to have fallen for a popular trick played on first year's and was directed to the morgue for his first class.

After his graduation in 1910, Bray practiced law in San Francisco for two years before moving to Martinez to join the firm of J.E. Rogers, soon to become Rogers and Bray. There, in 1913, he met and married his wife of 70 years, Leila Veale.

Besides being a talented lawyer and scholar, Bray was an avid football fan. He was very proud of the fact that between 1906 and 1983 he had missed the Big Game between Cal and Stanford only once. In the early 20's he had donated one hundred dollars to the University of California for construction of a stadium; for that one hundred dollars he was promised a lifetime seat with a brass plate bearing his name and class number at the stadium. Although he had the same seat for years in row 56, the brass plate was always missing. In the late 70's he wrote to Cal and told them that he wanted to see his brass plate. Cal responded that they had discussed his problem with the coach, and if he would go down to the bench during the game and lean over that the coach and the team would make sure



that his name and class number were embedded in his seat.

Justice Bray had a keen interest in Hastings and gave unstintingly of his time. He served on the Board of Directors from 1951-1983. He was a past president of the Hastings College of the Law Alumni Association, a former director of the Hastings Center for Trial and Appellate Advocacy, and a member of the 1066 Foundation. In 1976 the Hastings Alumni Association awarded Justice Bray the UC Centennial Medal as Hastings' outstanding Living Alumnus.

Justice Bray was actively involved with Hastings for over 70 years. His interest and concern for the well being of this institution were unmatched. Although I counted him amongst my friends, I knew him best as a colleague and as the Chairman of the College's Board of Directors, a position he held for 25 years. As Chairman he inspired loyalty, hard work and sincere concern for the success of Hastings and its graduates.

I will always remember Justice Bray standing at the head of a table with a glass in his hand giving his favorite toast, "May the devil cut off the toes of your foes, so you will know them by their limp."

It is with great sadness that we say goodbye to a man of such great intelligence, humor and integrity. ■



Justice A. Frank Bray

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FEATURES

Book Review

Attorney Nelson Mandela Devotes Life to the Struggle

By CHRIS PALERMO
Managing Editor

As international pressure to impose sanctions on the government of South Africa has increased in recent months, resistance leaders have frequently cited the plight of Nelson Mandela, jailed leader of the outlawed African National Congress, as an example of everything that is wrong with South Africa. But who is Mandela? Why do his admirers speak of him with such reverence?

Mandela's story is a long and tragic one, embodying and symbolizing the entire history of the black resistance movement in South Africa. "The struggle is my life," Mandela wrote shortly after a wave of arrests in 1958 forced him to move underground. "I will continue fighting for freedom until the end of my days." And Mandela apparently means it; almost thirty years of his life have been devoted to the struggle, more than twenty of them in prison.

"The Struggle Is My Life" (New York: Pathfinder Press, 1986, \$6.95) is a chronicle of those protests. First published in 1978 by the International Defence and Aid Fund for Southern Africa to celebrate Mandela's 60th birthday, the volume has been expanded and updated by Pathfinder and now contains nearly all of Mandela's writings published between 1944 and the present.

The book makes for fascinating reading; it's a free-form biography, a scholarly primary reference work chock-full of speeches, declarations, memoirs, and biographical trivia. Hastings students might be surprised to learn, for example, that Mandela is an attorney; he received his law degree and began practice in 1944. He conducted his own defense in two of three criminal trials in which he stood accused, although he lost both. The book contains transcripts of Mandela's statements to the courts; the record reveals a twisted, irrational form of justice.

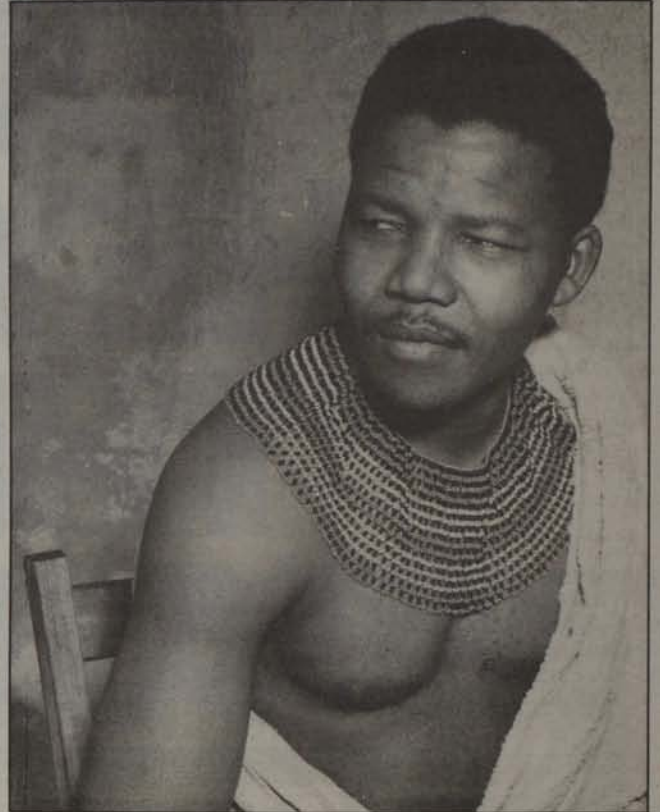
But the government, each time, had an easy case. Mandela, working with the African National Congress, had vowed publicly to overthrow the government of South Africa through any means, including using violence, which by the time of his last conviction in 1964 had become widespread. In any society, such activism is treason, and Mandela was duly charged, convicted, and sentenced to life imprisonment on Robben Island south of Cape Town.

All of Mandela's speeches are uncompromising, and some are inflammatory. Some provide a fascinating historical context for the debates of today. For example, as early as 1958, at the peak of the Cold War and America's postwar economic boom, Mandela publicly harranged America for investing in South African industry. Such investment, Mandela claims, exactly resembles the European imperialism of centuries ago which subjugated the African people and robbed them of precious

natural resources.

Fortunately, the editors of the

book maintain a detached, objective
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Nelson Mandela has led freedom struggle even from inside prison.

Photo: Eli Weinberg

Soothing the Savage Skier

By DINO VELEZ
Staff Writer

Ski weekends sometimes cause more trouble than the pleasure one gains from the skiing itself. The hassles of equipment, transportation, and lodging can turn the calmest of people into nervous wrecks.

The proper sounds, however, can soothe the most savage of beasts. Music has a universal accessibility which allows us to come together and forget our troubles. As a veteran of many misadventures on the slopes, I have some suggestions which will enable skiers to have the proper frame of mind for a successful trip.

On The Road

At 6 a.m. people are neither happy nor energetic. You've got to convince them that skiing 4 hours from now is better than being in the sack right now. You'll need an album with wake-up qualities, such as Jeff Lorber's *Wizard Island*. Lorber has a bright sound on the keyboards and a tight rhythm section to back him up. Kenny G. blows a hard, straight-up sax that makes people move.

As the sun takes its place in the sky, you need to help passengers get comfortable and drink their coffee. Familiar company like Steely Dan's *Aja* or Al Jarreau's *This Time* will keep everyone humming along while the car chews up the miles.

After listening to a snow report to confirm conditions, the crucial third hour begins. Your riders have been subjected to the confinement of the car and will be a little bored. Of course, the age-old remedy for boredom is a sing-a-long. Singing bonds people because everyone has to learn the words and sing them together. From "Bungalow Bill" to "Ob-La-Di, Ob-La-Da" to "Rocky Rac-

coon," the White Album by the Beatles will take you merrily to higher elevations.

As you pull up to the mountain you'll need some good guitar riffs to help get the kinks out. Some people like loud stuff like Van Halen, but I've found that George Thorogood at high volume fortifies the soul because of his no-nonsense approach to the blues.

On The Slopes

Skiing with music isn't for everyone because of the hazards created when you can't hear warnings. I recommend that less experienced skiers ski without headphones because they already have enough worries just getting down the hill. Experienced skiers may ski with headphones safely if they use extra caution.

The type of music you should play depends on your personal taste and skiing style. You should remember that skiing is a vacation and you shouldn't play anything too heavy. In addition, skiing is an outdoor sport, so don't listen to Springsteen singing about New Jersey or RUN/DMC telling you to "Walk This Way."

Those with a bouncy, funky skiing rhythm might try The Untouchables' recent release, *Dance Party*. The album contains their best version of "Free Yourself" and a great cover of the Monkees' "Steppin' Stone."

If your style leans toward a harder edged, rock base, you should try Robert Palmer's latest release, *Riptide*. Fusing a throbbing bass with ripping guitar chords, Palmer will send you down runs until you're breathless.

There's nothing better for high-speed cruising than U2's *Boy*. The album has U2's distinctive ethereal quality without the complexity of *The Unforgettable Fire*. From "I Will Follow" to "Out of Control" the songs cover a range of skiing from adventurous to insane.

As the moguls become choppy and the boots become lighter, you'll need high energy music to keep you going. The Ramones' *Rocket to Russia* can turn the most timid of skiers into outrageous mogul bashers. "Teenage Lobotomy" and "Cretin Hop" set the correct state of mind and skiing form for an afternoon on the bumps.

On your last few runs, you're going to have to suffer the pain of burning muscles in your tired legs. You'll need The Cure to relieve your suffering. Their collection, *Standing on a Beach*, includes hits like "Boys Don't Cry" to help you make it through your last few runs.

Down The Hill

A good warmdown always makes your body feel better for the next day. Reggae will relax the tightest of muscles, but it may put everyone to sleep before they reach the cabin. An album like The Clash's *Sandinista!* will aid the transition down the hill.

Once in front of a roaring fire there's no better type of reggae than lover's rock. The king of lover's rock is Gregory Isaacs, and after listening to his album *Night Nurse* you'll have the remedy to all your troubles.

Overall, keep in mind that friends are always the key element to having fun. Music can bring out moods and help store memories, but the moods and memories come from the people you're with.

Local Attorneys Advocate Gay Rights

Bay Area Lawyers for Individual Freedom (BALIF) is an organization of lesbian and gay lawyers from around the Bay Area, and is part of CALIF—a California-wide lawyers group.

The group is divided into subcommittees including an amicus group, an AIDS panel and a law student group—all devoted to improving the rights of gay men and lesbians through their connections with and knowledge of the legal system. BALIF also serves as a social and political forum for many law students and attorneys, a service which continues to be among its primary goals.

Most of BALIF's efforts, however, are devoted to legal goals. Amicus briefs are filed in several cases, recommendations are made on judicial nominations, political forums are hosted, legislative letter campaigns are coordinated and information is disbursed. But perhaps equally significant, however, is its role as a network to assist and organize lesbian and gay attorneys and law students.

The law student committee works toward creating an inter-link between the lesbian and gay student groups at the various law schools in the area. The committee hosts a barbeque/

potluck at the beginning of each academic year to get students acquainted. The group then meets monthly to plan other events, culminating in the annual legal career forum, which was held last year at Hastings.

The career forum invites local attorneys to sit on panel discussions on law firm experiences, law clerking, legal planning for persons with AIDS, and police relations with the community. The forum allows students to meet and talk with lawyers about the experiences and possible problems that they may encounter as gay men and lesbians in the legal profession. The forum was held at USF this year with Supervisor Nancy Walker giving the opening address.

Another major project BALIF sponsors each year is its annual dinner. This year the dinner was held at the Sheraton Palace, with Senator Barney Frank of Massachusetts as the honorary speaker. The dinner was attended by approximately two hundred attorneys.

If you are interested in becoming a member of BALIF, or just in learning more about it, watch the LIL/GLSA in the basement of 198 McAllister or write P. O. Box 1983, S.F. 94101. Memberships are kept strictly confidential.

Man About Town

Dien Sum: a Lively Alternative to Breakfast

By MICHAEL BOLLARD
Features Editor

Man About Town, for its second sober month of the New Year, explores the eternal question: what do you do when you haven't got a hang-over on a week-end morning?

Rejecting ridiculous answers like going to the library, we decided to explore our second favorite pastime: eating. But none of that ham and eggs stuff for us—we have that for a snack at two in the morning. For those of us who are used to Bloody Marys at noon, may we suggest that truly post-modern, cross-cultural San Francisco experience, Dien Sum?

Imagine yourself sitting in a large room consisting of about 50 tables crowded with people speaking Chinese in two different dialects while women push carts laden with vaguely unidentifiable food items and not coming to take your order. First of all, pay no attention to the fact that you don't speak Chinese, unless you do. Go in, get a table, start in on the tea and prepare yourself.

Dien sum involves pulling plates of food off of passing carts until you can't eat any more. It's that simple. When you finish eating, people come around and count your plates. You pay about \$1.25 per plate and usually eat for about three hours for \$5 a person.

Second, be fun and explore. Some things will look familiar; most won't. You may want to avoid the duck's feet but the rest is pretty good fare. You may recognize the char su bow, su mi and har gow, perhaps better known as pork buns, pot stickers, and steamed pork balls, but you will also find spring rolls, paper-wrapped chicken, steamed shrimp dumplings, and shrimp pot stickers, enough variety to satisfy just about anyone.

You may also see things pass that you (and we) cannot identify, but that doesn't mean that they won't be good if you try them. Of course, we can't guarantee that they will—that's part of the fun. One word of warning—dien sum is not a good idea for vegetarians, as most items contain pork, beef, chicken, shrimp or a broad class of meat we'll call "other."

A few ideas on where to get started should put you on your way to a fun-filled wild-goose-chase through Chinatown. You should not, however, believe that Man About Town has given away all of our secrets, and you should feel free to try new and uncharted places. One area with ample opportunities is Clement Street, which we have completely ignored because you can never find a place to park there anyway.

In Berkeley, try Yangtze River on Shattuck Avenue above University.

A bit different—you have to order your choices off the menu—but the food is good and the prices are slightly lower than most.

In Oakland, we've heard that Jade Villa has the best dien sum in the entire Bay Area. Although huge, you may find the wait prohibitive at times and should not be dissuaded from trying one of the other restaurants in the area. Jade Villa is located at 800 Broadway in Oakland's Chinatown.

In San Francisco, you have your choice of several excellent places within walking distance of each other in Chinatown. Louie's on Grant Avenue is an old favorite of ours and the name should not scare you off—it's authentic. The dining room is on the third floor.

Grand Palace down the street on Grant is a bit touristy—but may be a safe bet if you're taking the folks. Around the corner on Pacific are two more places well worth trying. Asia Gardens is said by some to be the best in S.F. but is currently closed for remodeling. On up the street is the Hong Kong Tea House.

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Louie's on Grant Avenue in Chinatown feature dien sum delicacies every morning.

"From the Hip" ... to the Trash Can

By CHRIS PALERMO
Managing Editor

Hollywood has an uneasy relationship with lawyers—entertainment attorneys are often perceived by studio executives and writers as a particularly vile form of symbiotic parasite, necessary for the survival of studios and talent, yet annoying because they suck away such a large share of the profits.

So periodically Hollywood responds by filming a send-up of the legal establishment, and every time it fails. Last year we saw Debra Winger and Robert Redford trying to be "Legal Eagles"—and they flew like turkeys. This year's release from the DeLaurentis Entertainment Group is "From the Hip," a sappy film that stars Judd Nelson in his sixth motion picture as Robin "Stormy" Weathers, a young associate out to upset stuffy attorneys and the courts.

Weathers is a beleaguered misfit of an attorney, and is to be ejected from the starched-collar Boston firm for whom he works (founded, we are told, by Oliver Wendell Holmes), when his boss comes up with the ideal trick: assign Weathers an unwinnable case, let him make a fool of himself, and summarily discharge him from practice.

But the irrepressible Weathers decides that the only way to win the case is to create an uproar in the courtroom which will distract the jury from the merits of the case. His client has been sued in tort for punching out a pal and calling him an "asshole." Confronted with this dilemma, Weathers spends hours researching the legitimate use of

"asshole" in literature, in an effort to convince the court that defendant's use of the term was not inflammatory.

But it doesn't work, not as social satire, and not as broad comedy. Nelson succeeds only in portraying lawyers as buffoons, and unethical ones at that: Weathers and plaintiff's counsel agree to "fix" the case by discussing their strategies in advance. The only thing these attorneys can laugh about is, sadly, fleecing their clients.

I suppose that's par for the course for director Bob Clark, who's known for intellectually challenging films such as "Porky's" and its piglet progeny. But one would expect more from Nelson, who has classical theatrical training and was likable in "The Breakfast Club" and "St. Elmo's Fire." In an interview with the Law News, however, Nelson revealed that he hasn't even seen any

of his last three films; he considers his work done when the last shot is in the can. He should consider, as well, the benefits of self-criticism.

Even Clark can't make "From the Hip" into a passable comedy; it was written by Boston attorney David E. Kelley, who may have been a great lawyer, but he is a painfully unsophisticated comic writer. He lobs the dumbest of clichés at us, dressing them up as jokes, including, yes, one about lawyers and their briefs.

And Kelley even makes simple legal inaccuracies. I may be picking nits when I point out that "assault" and "battery" are used erroneously in the film and are misdefined.

In short, the film is grossly negligent in attention to detail, spins together a gossamer thread of a story that's neither innovative nor entertaining, and never introduces us to a single likable character.



Judd Nelson shoots "from the hip" and misses wildly in new film lampooning lawyers.

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EDITORIAL

LW & R INSTRUCTORS GET AN "F" FOR UNIFORMITY

Every successful attorney must learn effective legal argumentation skills. At Hastings these critical techniques are taught during the first year in the Legal Writing and Research course, which is required for graduation. According to the Student Handbook, the LW & R class is "considerably more comprehensive and rigorous" than similar courses at other law schools. Is it? And are students learning?

Detecting widespread dissatisfaction among first year students, we have conducted a number of interviews. What follows is a synopsis of reactions.

• *The quality of instruction varies widely.*

A comment repeatedly made to us is that some instructors are excellent, others incompetent. Some offer prompt, effective help to students; others repeatedly, inexcusably, and unabashedly neglect their duties. Indeed, some are downright immature and obnoxious. Furthermore, not every instructor covers the same material in class, with the unfortunate result that some students are better prepared to complete assignments than others. Are any guidelines given to instructors beyond the assignments? If given, these instructions are not followed well.

Perhaps the time has come to reevaluate the benefits of employing practicing attorneys as instructors. Getting a glimpse of "the real world of law" through experienced practitioners who know the kind of writing required is invaluable. And admittedly, finding competent attorneys willing to teach a daytime class is difficult. But, frankly, first-year students don't need the extra frustration of a careless instructor who's too busy to grade papers or offer assistance. And there are plenty of such "teachers."

• *The books, which are required purchases, are not adequately used and are mostly waste of money.*

Many of the reading assignments are optional, and some books are never referred to at all—again, depending on the instructor. But there is little correlation between the texts and what is taught in class.

• *The library exercises are of unequal difficulty.*

Some students are given moot issues to research, creating little incentive to research exhaustively. Such assignments amount to a treasure hunt—a circumstance LW&R leaders have specifically said they want to avoid. Conversely, some assignments were excessively arduous.

• *The outline assignment given at the beginning of the year needs a follow-up at the end of the year.*

After all, that's when the effectiveness of outlines must be evaluated—immediately before exams. Furthermore, upper-level students (e.g. the instructor's student tutor) should criticize outlines, not attorneys who graduated too long ago to remember any useful tips. Some students do not outline at all. A better method would be to devote one or two weeks to the whole exam-preparation process: briefs, class notes, outlines, exam essays.

• *The rewrite assignment of the second research memo is useless.*

Students need merely eliminate the instructor's proofreading marks to complete this assignment—at least that's the way the rewrite is being taught. There is little motivation to do more than apply "white-out" in selected spots.

• *Different instructors use different citation form. Use of the blue book is not taught.*

It is true that different firms use different forms, and students should be aware of this discrepancy in the "real world." But a uniform standard, such as the blue book, should be used (there is a reason we shelled out \$13.50 for the blue book, isn't there?). Then students can compare work, and are better prepared for work on the law journals.

• *Work in the second and third years is not integrated with the first-year course.*

The Student Handbook describes LW & R as an introduction to the basics. But at a minimum, the specific application of LW & R exercises to second-year activities should be discussed, so that first years can see where their work is leading. Ideally, every student should have the opportunity to complete Moot Court as well as work on a journal and the LW & R course. Such a system would not oppress students, but would create better lawyers by exposing students to the full spectrum of formal legal argumentation.

These problems are serious, but not insurmountable. And to be fair, the LW & R program generally (and Sandra Verhoogen specifically) has been very receptive to change and student comments. But we have a pressing need to rethink the goals of the program, take steps to improve the quality of instruction, and clarify certain assignments. ■

Letters To The Editor

Stereotyping Chinese

To the Editor:

Celebrations and commemorations of our rich cultural heritage are of great value to all. Nonetheless we were surprised and saddened by a number of the "decorations" recently placed in the dining commons at Hastings. While it is perfectly acceptable to decorate the dining commons with a cultural theme, it is clearly not acceptable to include decorations that endorse traditional negative prejudices. Paper lanterns and menu embellishments are one thing, but plastic rickshaws and cardboard images of peasants which are caricatures of traditional stereotypes are another.

The cultures of the world, which we are fortunate to have represented in the Bay Area, have a great deal to offer us, and the recent displays in the dining commons were embarrassing displays of ignorance, not festivity.

Adam King
Michael Herzog

LEOP Defended

To the Editor:

Your editorial opinion entitled, "LEOP Money Would Be Better Spent Elsewhere," stated "anyone possessing high innate intelligence, enthusiasm, and an analytical mind is qualified and should be an attorney." I agree.

I also agree that merit should be a criterion for admission, but this depends on how merit is defined. Your opinion suggests educational achieve-

ment, a narrow definition. The services and goals of the legal profession demand a broader definition encompassing integrity, commitment, communication skills, ethics, discipline, and social responsibility.

To me, your editorial reemphasized the necessity of LEOP. I thank you for your unintended reminder.

Richard T. Sakai
Director, Legal Education Opportunity Program

To The Editor:

The editorial in the January 13, 1987 issue of the Law News ("LEOP Money Would Be Better Spent Elsewhere") contains numerous false assumptions and erroneous assertions. More specifically, we, the LEOP organizations, take issue with three propositions made by the editorial: 1) That LEOP is a drain on the school's budget and resources; 2) that "law schools are not instruments of social change" and 3) that the "best possible lawyers" are those possessing top quantitative scores.

With respect to the first proposition, it was obviously made without any factual basis. The LEOP budget is *de minimus* compared to the overall Hastings budget. If Hastings is indeed suffering from "scarce reserves of time and money," the abolition of LEOP will not contribute toward alleviating those problems.

In the second proposition, the reasoning is inherently flawed. Law, as exercised by the courts and the legislatures, has always been at the forefront of most social changes. Thus, law schools, which train people to use the legal process, do bear enormous social responsibilities.

As to the third proposition, we do not know which standard the editorial staff uses to define "highly trained professionals" or "best possible lawyers." By our definition, a good lawyer is one who is not only competent in his or her trade, but who is also aware of the great social responsibilities that come with the privilege of a law degree. Thus, it is imperative for a lawyer to be sensitive to the inequities in our society. This is the goal of LEOP, to turn out well-rounded, socially aware, and dedicated legal professionals.

The third proposition was clearly made without an understanding of the underlying philosophy of LEOP in particular, and of affirmative action programs in general. The primary purpose of LEOP is to identify an applicant whose cumulative experience has been such as to prevent the applicant from participating in the advantages normally shared by the majority. Presumably, these "advantages" include, but are not limited to, the opportunity and access to quality education, a stable family environment, and an absence of racial and/or cultural discrimination or disorientation. An applicant lacking substantial participation in such advantages is more likely to attain less competitive grades and to score lower on standardized exams.

LEOP simply recognizes that certain candidates, because of their backgrounds, cannot be assessed solely on the basis of quantitative scores. LEOP does not admit unqualified students. LEOP admits those who possess "high innate intelligence, enthusiasm, and an analytical mind"

Continued on page 11

Penned From The Pig-Style

A FINAL HOUR OF BOREDOM

By DAVID DANIELS
Editor-in-Chief

One of the most annoying rituals of the Hastings Experience is about to begin. I refer to the Student Commencement Speaker Selection Process. This process, which eventually results in the selection of a third-year student to speak at Commencement, is as fraught with apathy as the selection of the non-student (that is to say "real") speaker is with controversy.

Despite the fact that most of the third-year class is blissfully unconcerned with the issue, the choice nonetheless presents itself every year without fail. It seems there are always enough egotists and budding politicians in each class to organize the nominations, see that they themselves get nominated and make sure that one of their number gets elected.

Of course, the whole process is made even sillier by the "unwritten rules" that govern it. The surest way (for example) to lose the election is

to announce publicly that you are a candidate. Instead, those who covet the honor of providing their peers with a final hour of boredom must develop hundreds of clever ways to give notice of their ambition without appearing to really want to be elected.

My first choice, of course, would be to do away with the entire concept of a student speaker. Quite honestly, I have never met anyone in my class that I could possibly listen to for more than five minutes at a time. That is also, I understand, the class's opinion of me. So there you are.

At any rate, if we must have a student speaker, perhaps we can at least eliminate the election process. The faculty could choose a class speaker for us. Since they are accustomed to dealing with false inquiries about their health and false compliments about their teaching methods and their ties and all the other forms of student flattery, they will not be as annoyed as students are bound to be when such tactics are used to garner

their votes.

If we simply must have an election for the speaker, I propose that we bring it out of the closet and into the gutter where it belongs. After all, there is nothing wrong with wanting to be student speaker. The candidates should admit it freely and campaign openly. Naked ambition and grasping self-aggrandizement are the foundation stones upon which our system of capitalism is built, and the twin fountains from which our income as lawyers will spring.

In order to facilitate an open campaign, the Law News will endorse a candidate for student speaker in a subsequent issue. Our endorsement will be based upon public speaking ability, personality, stage presence, and promises of extreme brevity. In the meantime, all speaker candidates are warned that attempts to obtain name-recognition by using the columns of the Law News will neither go unnoticed nor unpunished, and will likely go unpublished. ■

OPINION

Dissenting Opinion

High Standards or Racism—A Matter of Degree

By PAT EVARSON
Columnist

In its editorial last issue, the Law News Editorial Board stated that "anyone possessing high innate intelligence, enthusiasm, and an analytical mind is qualified and should become an attorney." Looked at by itself, that sentence seems to advocate the dismantling of an admission process based solely on undergraduate grades and standardized tests because this process does not always reflect a person's true ability. Not surprisingly, what they meant was that people who do not meet the standards of the admission process lack high innate intelligence, enthusiasm and analytical minds.

The editorial stated that law schools must only admit the "best possible students," i.e. those with the

highest undergraduate grades and LSAT scores, in order to provide "the best possible legal services to the community," a position that ignores the contribution programs like the Legal Education Opportunity Program make to our legal educations.

Hastings' environment is enriched by the presence of LEOP. It allows intelligent and capable people who can show specific circumstances which kept them from attaining the kind of standards required for admission and who represent those parts of society traditionally alienated from the legal system to participate in the legal education process. In return, they give Hastings a diverse array of experiences and perspectives to help us understand both the role of law in society and what it is that society requires of the law.

How effective are traditional ad-

missions criteria, anyway? Do these criteria really result in the selection of the "best" applicants? Why is it that a significant number of regular admission students petition LEOP for permission to participate in its academic support program after they receive their first semester grades? Under the Law News hypothesis, these students have already met the admission standards, so they should have no trouble excelling at Hastings.

Many LEOP students passed the 1986 fall Bar exam, while many non-LEOP people did not, including some A students. Obviously, a student's grade point average is not the only component in determining performance in law school, on the bar, or as an attorney.

I suspect the real reason for the editorial was to draw attention away from Hastings' misuse of trust

funds by attacking some of those students who most deserved the funds. Or perhaps the members of the Editorial Board regret they were not admitted into Stanford or Boalt Hall and want to eliminate the weaker students at Hastings so Hastings can be more favorably compared to those highly prestigious schools. It seems likely that the members of the Editorial Board are more concerned with their own status in the legal hierarchy than they are with any needs of the "community."

I grew up in a southern state and attended a public school district that was not integrated until 1967, when I was in the seventh grade. The arguments the Editorial Board used in the last issue are no different than those I heard at that time, before court-ordered desegregation became the law. This is the most important reason the editorial bothered me.

I sometimes feel as if those dark days have returned. Recent events, such as the attack on marchers in Georgia, the lynching in Howard Beach, the resurgence of the Klan, and even this editorial attack on legal education programs for the disadvantaged, are familiar. While the language was less refined in 1967 the theme was the same. Instead of beginning with fallacious argument based on arguable means of determining excellence and ending with the implication that disadvantaged

students lack intelligence, enthusiasm and analytical minds, southern bigots referred to the mongrelization of the white race. The difference is only degree.

The Third Year Class council has unilaterally changed the process by which the Class chooses the student to speak at commencement. Now, instead of having the opportunity to vote for whomever we wish, the student who wants to speak must step forward and present an outline of a speech in order to receive any votes.

This new process is intrinsically political. Only those ambitious students, those who have dreamed of being the Class Speaker (for whatever social, career, or ego value there is in it) will throw their hats in the ring. The more reserved students with less self-glorification who might have contributed more to Hastings, will be left out of the process. These students' admirers will be forced to make them outline a speech that will be stale a few months from now. (Of course the glory hogs have already written their speeches.)

I wonder how many members of the Third Year Class Council plan on running? By declining to run for the position, each of them would prove that this new process was not tailored to meet his or her personal goals.

Honi Soit Qui Mal y Pense!

Tomorrow May Be Too Late

By GERALD TOMASSIAN
News Editor

As I was leaving 198 McAllister last Friday evening, I noticed a gathering of emergency vehicles near the Hyde Street entrance. I proceeded up the street to see what had happened. The paramedics were carefully lifting a young woman onto a stretcher. She appeared to have severe leg and head injuries. I recognized her face immediately from one of my second-year courses, but I could not remember her name. A group of Hastings students were standing nearby, all of them shaken by what they had just witnessed. A car with a shattered windshield was still at the scene, its driver visibly trembling as he talked with the police. I motioned to a friend, Rick, who left the assemblage of students and came over to tell me what had happened.

It seems that Rick and his study group had just finished meeting and were leaving 198 McAllister. All of them headed north on Hyde except for Joan who needed to check her SIC folder for potential job interviews. She had looked before crossing, but then hesitated as she waved and yelled good-bye to her friends. That short mental lapse almost cost Joan her life. I spoke to the Dean's Office yesterday and was told that Joan had lost her left foot due to the accident and that she has to have extensive surgery before she can be fitted with a prosthesis.

Fortunately, the above incident is still only a real possibility and has not happened yet! However, there have been more than a few close calls this year. Faculty, staff, and students all cross Hyde illegally and that is

not going to change. Expecting everyone to cross at the signal is impractical and unrealistic. San Francisco Police would have to go on a J-walking crusade to achieve such an ideal situation. I am sure that the City's Traffic Court can ill afford to have dozens of law students appearing daily to fight tickets that are not real revenue raisers.

Last week I learned that an overhead pedestrian crosswalk connecting 198 and 200 McAllister has been under consideration since the latter building was built. Ideally this aerial walkway should have been built as part of the new building. Construction costs are probably high but unless truly prohibitive, should not impede our need for safety. So far we have all been pretty fortunate that no one has been struck by a car while crossing Hyde. Let's hope that it won't take a tragic accident like the one as described above to provoke the construction of an overhead crosswalk.

Note-LEOP

As news editor, I recently asked one of my writers to do an informational article on LEOP. I gave her this assignment before the editorial on LEOP was printed and neither of us knew the content of January's editorial. Our news writer tried to interview Richard Sakai, Director of LEOP, but he refused because of time constraints. When an editor approached Mr. Sakai regarding a possible interview he indicated that he would have to consult certain student organizations before speak-

ing to one of our writers. Needless to say Mr. Sakai still will not grant-us an interview.

I realize that many students and others were justifiably unhappy with the LEOP Editorial. This however, does not warrant Mr. Sakai's refusal to grant our writer an informational interview. While Mr. Sakai does have a responsibility to be sensitive to the desires of certain student organizations, the fact remains he is an employee of Hastings with an obligation to the whole student body and the College.

If Mr. Sakai thinks he is punishing the Law News for its unfavorable editorial he is entirely mistaken. It is the organization of which he is the Director that will suffer most from his unwillingness to grant an informational interview. We provided Mr. Sakai with a forum to alleviate some of the misinformation that abounds as reflected by our senior editorial staff and others. Instead he chose not to cooperate thus perpetuating some of the misconceptions regarding the program which he administers.

NOTICE

The Hastings Law News is accepting applications for the 1987-88 editorial board. Positions available include Editor-in-chief, Managing Editor, and Copy Editor. Request an application at the Law News office, Room B-27, 198 McAllister.

HASTINGS LAW NEWS

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EDITORIAL POLICY STATEMENT

The Hastings Law News is published monthly by the students of Hastings College of the Law.

Unsigned editorials represent a consensus of opinion of the Editorial Board. They do not necessarily represent the opinion of individual members of the Law News staff. The Editorial Board consists of the Editor-in-chief, the Managing Editor, and the Copy Editor.

Signed opinion articles represent the opinion of the individual writer only and not necessarily that of the Law News, the Editorial Board, or any staff member.

The Law News does not reflect the view of the administration, faculty or Board of Directors of Hastings College of the Law unless so stated. The College ascribes to the principle of freedom of expression for its student editors.

Questions and comments about advertising or editorial content should be directed to Hastings Law News, Hastings College of the Law, 200 McAllister Street, San Francisco, CA 94102.

*Mediocritas Insulias Solum Odissimus
Ceteri Flovet Ducimus*

OPINION

Pursuing the Dream of Equality

By ANTONIO U. SALCIDO,
MSMA, CC
Chairman, Latin Republican
Commission

It was a very long time ago that for the first time in my life I witnessed an event of such emotion and confusion that it should remain forever transfixed within my memory.

I had been watching television in the early morning as every child does. My mother, a young and pretty woman, was moving about behind me in the room, gathering the toys that I had scattered.

I do not now rightly recall if it was Fred and Barney or Bugs and Elmer who were interrupted, but interrupted they were by what I thought to have been a commercial, but what later reflection has revealed to me was a news update.

At first, my attention was given only to the Interruption, but then my interest was suddenly focused upon the sounds behind me that were now no longer the well-known shufflings of mom's funny slippers on the thread-bare carpet, but were an unfamiliar dissonance, an arrhythmic ode that was my

mother crying.

Still so vivid is the memory of sitting on the sofa, her head bowed into the palms of her hands; her weeping the only expression to me of a grievous loss to her.

I did not then understand what was happening. I did not know that a mother could cry, and so when the Interruption passed, I turned again to the child's world that I knew. Yet, still, the puzzle of her actions waited in a corner of my mind until it could once again command my recognition.

Years later, in the classroom, I saw familiar images that evoked that former day. Only now, added to that recollection were other visions of the smiling, young, handsome man who had been President, who had been killed.

In time, my Mom caused me to understand that he would have done a great many wonderful things for us if he had lived. He would save us from war and feed the hungry, he would make us safe from harm and even give us money. He would change the world, and all we had to do was work and believe. "Ask not what

your country can do for you..." he had said.

Like my mother, I was born in East Los Angeles where the only certain laurels of the fatherless family were poverty and humiliation. Mom would rummage for deposit bottles to buy the pancake batter that fed my sisters.

But there were three things of which we could all be proud: we were good Catholics, we were Mexicans, and we were Democrats. These few things, together with the fact that we were a family, made us wealthy, and gave us hope that the day would come when our laurels would be transformed into honor and glory.

The man was gone, but his ideas and his party persisted. We stayed with the Party and we worked. We were certain that things would change, that the *barrio* would become a better place, that the promises that were made to us would be kept.

We were very wrong. The promises were told to us over and over again by the many successors that held this noble man's banner. We followed the banner; yet,

somehow, the man and his vision were lost. The *barrio* did not change for the better, it grew worse. Rather than die with the *barrio*, we left it.

I wish that the same could be said of the many good people that are still there, but they stayed because they had been fed so much hope that they had grown addicted to it, even when it made them sick.

I believe that the man can never be found again — if he could be found, he would be much diminished from my mythic ideal — but his dream for me and my family I have found again in the Republican policies represented by the present Administration.

For the future, I hope to see the Latin community turn toward a Party that does not offer pocket change to a minority if they will only sit idle, but asks them to stand tall and work for a slow but certain change in society based upon merit.

The Democratic Party's policies now border on racism: it is as though they say "Sit here, boy, and I'll toss you a coin when I've one to spare". I prefer the Party that says

"Stand up and reckon with me eye-to-eye; beat me at my own game, and then tell me what course we shall take together."

Does anyone doubt that a generation from now the Asian or Indian/Pakistani communities will be affluent and politically formidable? Of course not, because they have not become enthralled to the drivel that seeks submission rather than competition. They do not listen to the lie that society "owes" them something.

Conversely, does anyone doubt that a generation from now the blacks will be anywhere but the ghetto? Or the Hispanics anywhere but the *barrio*? To him who does: I refer you to current trends and statistics, they have not changed since long before Hoover.

I am now a Republican, as you may have guessed. I could not follow the man, for he perished. I could not follow the party, for I feel that it has lost sight of the man. I am happy to say, however, that I have followed his vision. A vision first expressed to me by my mother in an ode she sang a very long time ago.

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LEOP Offers help To Hastings Students

By CHRIS PALERMO
Managing Editor

In 1967 Thurgood Marshall became the first black justice of the United States Supreme Court. For Marshall, great-grandson of a slave and son of a porter, law school was the place where "for the first time I found out my rights." Marshall devoted his career as a lawyer to fighting prejudice in society.

While Marshall had to struggle to get in to law school, today there are more opportunities for minority students than ever. Since the 1960s minority group members, including Asians, blacks, Hispanics, and native Americans, have been represented in increasing numbers in the nation's law schools. Between 1970 and 1985, the number of minority students attending law school more than tripled.

Hastings established the Legal Education Opportunity Program (LEOP) in 1969 for individuals who have overcome economic, educational, or social disadvantages in preparing for the study of law.

LEOP currently runs under the direction of Richard Sakai, formerly dean at San Francisco's New College of the Law. Sakai declined to be interviewed by the Law News.

A number of academic support services are offered through LEOP.

A one-week orientation program is offered in August. During the orientation, students begin to develop necessary skills for law study including case briefing, exam writing, and legal writing and research.

The LEOP First-Year Study Group Program provides a support-



LEOP Director Richard Sakai.

ive atmosphere in which students can ask questions, discuss problems and develop their analytical skills. Second- and third-year student teaching assistants conduct biweekly sessions for all first-year subjects (except Legal Writing and Research).

In their second and third years, students may participate in LEOP colloquia, which are study groups in courses such as Constitutional law, Federal income taxation, corpora-

tions, and evidence. Each weekly or biweekly colloquium is led by a practicing attorney or third-year student. The colloquia emphasize the further development and refinement of analytical skills.

Students not admitted under LEOP may participate in only one College-sponsored discussion group, on Federal income tax.

Finally, students preparing for the California Bar Exam are offered a supplemental program to augment the commercial bar review courses. The LEOP Bar Preparation Program includes instruction in exam-taking techniques, regularly scheduled practice examinations, and individual review.

Candidates electing to apply for admission under LEOP describe the circumstances or disadvantages that they have encountered and overcome on a LEOP Applicant Statement. LEOP candidates also have the option of requesting a review or interview by a LEOP student association, such as A/PLSA, Balsa, LA Raza, NALSA, or ODLA. Some organizations contact the candidate by phone, in writing, or require completion of a questionnaire. The association's observations and recommendations may then be placed in the applicant's record for consideration by the Admissions Committee.

However, such recommendations never completely determine whether a candidate is admitted or not; that decision is reserved for the Admissions Committee. Approximately 20% of each class is admitted under the provisions of LEOP.

In the 17 years of its existence, LEOP has proven itself quite successful. Through LEOP, Hastings

recognizes its responsibility to contribute to the equalization of opportunities in the field of law for those who, motivated to serve in the legal profession and having the talent to do so, have been unable to accomplish normal and traditional pre-law preparation because of serious educational, social, or economic disadvantages.

ASH Notes

Meeting of 12 January

The meeting was called to order at 5:50 p.m. by ASH President Steve Elie. Elie presented the latest bar pass rate statistics to the Council and announced that the "Weekly" deadline has been moved to Tuesdays at noon.

The Council went into closed session from 6:05 until 6:15 p.m. The Law News has learned that the only item on the closed session agenda related to recent accusations in the Law News that ASH President Elie and former Law News editor Robert Yates covered up the appointment of current Editor David Daniels in order to prevent controversy. During the closed session, Elie reportedly explained his role in the alleged cover-up and responded to questions from Council members. Elie later acknowledged that the discussion had been "candid."

Meeting of 26 January

ASH President Elie announced the resignation of Hope Kalmus as Arts and Recreation Director. Kalmus' successor was not named.

Since this meeting was intended primarily as a social event and potluck supper, the only other item of business conducted was the approval of the appointment of Manny Miranda to replace outgoing third-year Representative Dan York.

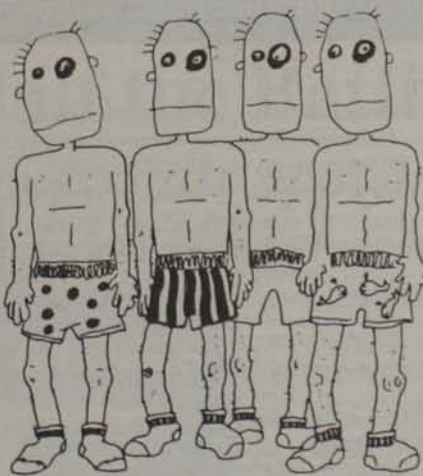
Meeting of 2 February

The ASH Council unanimously passed a resolution reaffirming its support for the Legal Education Opportunity Program at Hastings.

Meeting of 2 February

The ASH Council unanimously passed a resolution reaffirming its support for the Legal Education Opportunity Program at Hastings.

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Dien Sum is Lively

Continued from page 5

also a good place but the wait has doubled at peak times with the extra crowd coming from Asia Gardens.

Down by the Embarcadero, try Yank See at 427 Battery. Closer to home, there is the Mandarin Palace on Market, but we recommend it

only in a pinch.

One last idea for those of you on the go or who want to throw brunch in bed and have the pleasure of being able to know ahead of time: try the take-out. We still haven't found a place that delivers, but when we do, you'll be the first to know.

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Thank you,
Bud Peterson

In Brief

Professor Fukuda Returns to Japan

Dear faculty and students:
Thank you very much for your warm hospitality during my stay at Hastings. I really appreciate your courtesy. I will leave for Japan this Saturday to commence my professorship there.

It was a great experience for me to study and research American law at this institution. Because of the amount of assistance and kindness from you, I was able to do my research with fruitful results. I remember many things, such as Law Revue, the reject letter contest, dance party, Monte Carlo night, etc. I really enjoyed my American law school life.

However, I was saddened by Prof. Riegger's death. It was May 24, 1985 when I arrived in San Francisco and visited Hastings. Prof. Riegger encouraged me and gave me a lot of advice at that time. I miss my great professor. I would like to pray for him.

Thank you to Dean Prunty, Dean Bird, Professor Whelan and many of the faculty and staff who gave me an opportunity to do research at Hastings.

I hope the friendly relationship between Hastings and Nihon University continues to develop.

I will really miss Hastings and San Francisco because I will leave my heart at Hastings and San Francisco.

If you have a chance to visit Japan, please contact me. My address is as follows:

Yasuo Fukuda
Nejou 2-18-5
Hachinohe-shi, Aomori-ken
031 JAPAN

See you again in the near future.
SAYONARA, MATA OAI
SHIMASHOU.

Thank you.

YASUO FUKUDA
Visiting Scholar in Residence

The Odyssey of Hastings

Before settling down at the corner of McAllister and Hyde in 1953, Hastings College of the Law travelled from one San Francisco location to another in an odyssey that began at the old Pioneer Hall and made 15 other stops that included the old City Hall, the old Temple Emanu-El, Cooper Medical College, the new City Hall, two State office buildings, and others.

This spring the Hastings Art Gallery is featuring a collection of 16 photographs documenting in chronological order all of the homes used by Hastings from 1878 to 1987. Since 1953, Hastings' home in the Civic Center has developed into a four-building campus. Photographs of these buildings are also included in the exhibition.

The photographs will be on exhibition in our building at 200 McAllister Street from Feb. 18 to April 15. Gallery hours are Tuesdays from

noon to 2 p.m. and Wednesdays from 11 a.m. to 1 p.m. This exhibition is made possible through the support of the Hastings Volunteer

Association and the assistance of the California Historical Society, Temple Emanu-El, Gabriel Moulin Studios, and Hastings' own archives. ■

LWR Instructors Hard to Hire, Keep

Continued from page 1

both the teaching and grading of the LWR classes. One former LWR professor, who taught at Hastings for 3 years, says that "it's rare to find any program with uniformly top-notch instructors in any field, and even more difficult when the program relies on practicing attorneys rather than professional educators. But I would suspect that the complaints directed against LWR instructors are no different than those directed at professors."

Besides general teaching ability, the lack of congruence from one section to another is reflected in two ways. First, grading among LWR sections is erratic. One factor is the grading policy, which treats LWR courses as seminars. Thus, instead of strict grading requirements, instructors are only required to give 1/3 A's and A-'s with a median B grade.

Other law schools maintain a Pass/No Pass grading system for their LWR courses, such as Boalt and New College of Law.

Secondly, assigned projects may vary in their difficulty. This may occur because instructors do not see each other often enough to talk about specific projects. There is also a high turnover rate and most of the instructors have little teaching experience.

Several suggestions have been raised to eliminate these problems. One, a small advisory group should hire the professors, rather than just 2 people. Secondly, the director should teach at least one LWR course and have the day-to-day experience that the faculty does. Third, faculty members should teach at least one class. Fourth, the director could monitor the grading by randomly selecting

papers from different sections and making sure that they are graded in a similar manner.

As far as the program in its entirety, a former LWR instructor says that the program is "adequate for the demands put upon it. One of the problems is offering first-hand experience to over 50 students."

He explained that the fundamental problem inherent in any LWR class is that it takes a lot of time to learn.

"The most anyone can expect from LWR is a fundamental knowledge of the research tools. It just doesn't happen overnight—until you start doing it, you won't be able to truly learn it."

For all of us who fumbled our way through a law library during the first weeks of law clerking, blaming our LWR class, that statement rings true. ■

Attorney Nelson Mandela

Continued from page 4

tone throughout, refraining from ideological demagoguery; they let the events and writings tell the story.

The book is thoughtfully constructed, comprehensive, and easy to read. The introduction provides a complete biography of Mandela and a chronological framework for all of the writings included. Two memoirs written by former prisoners who knew Mandela at Robben Island explain Mandela's personality, relationships to other prisoners, and

efforts to win better conditions for political prisoners. The centerpiece is 24 pages of photographs, and two indices help cross-reference the events, people, and publications.

"The Struggle Is My Life" is a somber portrait of Mandela at work and in prison. But it is also an extremely informative, well-designed book for anyone trying to understand how the resistance movement in South Africa has evolved. *Highly recommended.* ■

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LETTERS

Continued from page 6

but whose potential for success in law school is not reflected in impersonal numerical designations. Indeed, LEOP has succeeded in producing "highly trained professionals" and perhaps more important, first-rate human beings.

We deplore the use of a student newspaper as a vehicle to attack—directly or indirectly—a significant portion of the student population. While we recognize and respect the right of individuals to express their opinions, we feel that the use of the Law News in this instance is an outright abuse of editorial discretion.

We also feel that it was unfortunate that the editorial was released the day after the nation celebrated the birth of Dr. Martin Luther King, Jr. In this light, it is only appropriate

High Court

Continued from page 2

the questions which he was asked tended to pertain to policy points, and he stated that he was particularly impressed with the level of preparation of the justices.

When asked about their impressions of the Court chamber itself, both McCall and Johnston commented that the actual room in which the proceedings took place was "awe-inspiring". McCall said that he now understands what it meant when he heard it said that being in the Supreme Court made you "feel like you're a part of history."

that we end this letter with a quote from Dr. King: "There is little hope for us until we become tough-minded enough to break loose from the shackles of prejudice, half-truths, and downright ignorance."

A/PLSA, BALSAL, LA RAZA, NALSA and ODLA

To The Editor:

Dr. Martin Luther King Jr.'s birthday exists both as a symbol of hope and as a source of intellectual pacification for the proclaimed "liberal" mind. Now that Dr. King's memory receives "official" recognition, we believe, surely the ignorance he fought against no longer pervades our society; if the government gives such apparent credence to Dr. King, surely our nation (for its salvation) now turns toward his ideals. Even as the shadows of Howard Beach and Forsyth County loomed over our newest holiday, many individuals in the U.S. no doubt remained optimistic and simultaneously contented that Dr. King's dream somehow lives. Amidst this naive complacency, the viewpoint expressed in the Jan. 13 Law News editorial acted well to illustrate the troubled truth about just how far we have not come, despite the celebrated work of Dr. King.

Inadvertently or not, the Law News editorial staff continually succeeds in bringing to light the fact that for all of our professed progressions, no matter how "advanced" we wish to perceive ourselves as a society or a nation, there still exists the most

base, vulgar reaction within us. When we speak of overt racism we hear ourselves say, "well, that happened in the deep South," or "Howard Beach is an aberration." We console ourselves with the misperception that at least within the "learned" areas of our nation, such reaction and lack of understanding and compassion no longer pervade. The Law News editorial majority and the now (mercifully) failing Reagan revolution prove, however, that even the "most advanced nation on Earth" and especially its "intellectuals" maintains a dark side, and things can really get ugly when the gloves and guise of social responsibility are efficiently removed.

Similar to the ideologues within the current presidential administration, the Law News editorials that I've bewilderingly experienced apparently attempt to subvert the Superego's sense of decency by convincing us that it's OK to let our social, political, and economic 1ds take over. "Law schools are not instruments of social change," we are told, and our socially destructive, self-preserving, instinctual side believes it. The Law News editorial which so ignorantly discussed Affirmative Action at Hastings ashamedly chimed with the whispers of self-interest and Darwinian dogma from the farthest reaches of our supposedly buried Jim Crow past. Is this truly the opinion of some law students in 1987?

To some people at Hastings, the notions of privilege, exclusivity and

homogeneity no doubt appear seductive and appealing. White South Africans liked these ideas so much that they built a nation on them.

As long as the Law News insists upon espousing such reactionary ideas, bringing our society's most deleterious instincts to the surface, let us hope that we can identify them and deal with them correctly, eventually eliminating them and avoiding their destructive consequences.

Raymond Bolanos
First Year

Mandatory Attendance

To The Editor:

I am writing to take issue with a statement appearing in Sharon Meieran's article concerning the on-ampus interview process; viz., "Hastings generally does not have a mandatory attendance policy." I beg to differ. The Hastings Academic Regulations provide in relevant part as follows:

West Block Expansion

Continued from page 1

California General Services Department.

A unique aspect of the new building would be the construction of a plaza over the loading dock area on the west side of 200 McAllister. This plaza would adjoin the second floor cafeteria and provide an outdoor facility with greenery, water fountains, and tables with umbrellas for eating.

The plaza is to be named after Patricia Dolter, the Dean's executive assistant, who is in charge of the West Block development. Dolter was directly responsible for inclusion of the plaza in the final architectural plans.

Dean Prunty indicated that no state funds will be available for the construction of the building, and the school will rely on bond issues to

401. Regular and punctual class attendance is a prerequisite to satisfaction of the residence requirements.

402. Regular attendance is defined as commencing class attendance when the course begins and continuing regular attendance throughout the course.

This policy is consistent with ABA accreditation standards. Sanctions for violation include being dropped from the class (and perhaps losing units required for graduation) or a grade of "F" (see Academic Regulations 404-406). Absence does not necessarily make a professor's heart grow fonder.

If any student has further questions regarding the attendance policy, please stop by Room 336, 200 McAllister. Dean Lathrop or I will be pleased to provide enlightenment.

Gail Boreman Bird
Acting Academic Dean

underwrite the estimated \$30-40 million price. Provided there is a minimum of litigation against construction by the city, and the Board adopts the plan, groundbreaking could occur as soon as this summer. The estimated completion time is 15 months.

While anticipating problems with the city over construction of the building, Dean Prunty sees it as a major improvement in the Civic Center area.

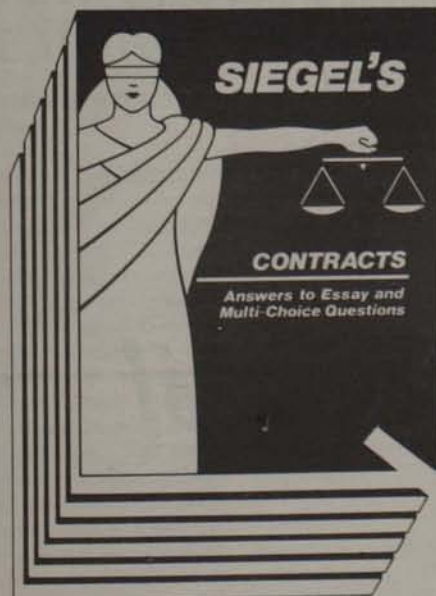
"With the state and Federal buildings located here, the future of this area is clearly in government and education," Prunty said.

Prunty sees an improvement of the surrounding area similar to that which occurred when Hastings took over McAllister Tower.

The administration's master plan and improvements to the West Block area could bring very real changes to the Hastings community in the immediate future.

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